



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DAVID VEGA,

Petitioner,

v.

KEN CLARK, Warden,

Respondent.

Case No. CV 07-02666 VAP (AN)

ORDER APPROVING AND ADOPTING
REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the Magistrate Judge's Report and Recommendation ("R&R") and Petitioner's Objection thereto, *de novo*. IT IS ORDERED that:

1. The Court finds Petitioner's Objection to the R&R raises the same or similar arguments that he made in his Petition and does not refute the findings and conclusions set forth in the R&R. Accordingly, Petitioner's Objection is overruled and the R&R is approved and adopted;
2. The Clerk is directed to enter a Judgment dismissing the Petition with prejudice.
3. Any and all outstanding motions are denied as moot and terminated.

IT IS FURTHER ORDERED that the Clerk of the Court shall serve a copy of this Order and the Judgment on all counsel or parties of record.

Dated: March 15, 2010

VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE